

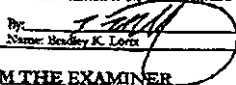
Due Date: January 18, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hugues Marchand et al. Examiner: Matthew J. Song
 Serial No.: 09/922,122 Group Art Unit: 1765
 Filed: August 3, 2001 Docket: G&C 30794.79-US-U1
 Title: METHOD OF CONTROLLING STRESS IN GALLIUM NITRIDE FILMS
 DEPOSITED ON SUBSTRATES

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being filed via electronic transmission to the U.S. Patent and Trademark Office on January 16, 2004.

By: 
 Name: Bradley K. Lott

**NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. § 1.191, Applicant hereby appeal to the Board of Patent Appeals and Interferences from the final rejection of claims 1, 2, 4-9, 11-17, 35, and 37-39 of the above-identified application, as set forth in the Office Action mailed July 18, 2003.

Please charge the amount of \$165.00 to Deposit Account No. 50-0494 to cover the required fee for filing this Notice of Appeal as set forth under 37 C.F.R. § 1.17(b).

Please charge any additional fees or credit any overpayment to Gates & Cooper LLP, Deposit Account No. 50-0494.

Respectfully submitted,

Hugues Marchand et al.

By their attorneys,

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By: 

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 Reg. No.: 45,472

G&C 30794.79-US-U1

Date: January 16, 2004

Fee charged